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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.1321 OF 2007

Shriniwas Bacchulal Padia ... Petitioner

Vs.

Union of India & Anr. ... Respondents

Mr. J.P. Shah i/b M/s. JPS Legal for the Petitioner.

Mr. U.D. Uttangale for Respondent No.2.

CORAM : SWATANTER KUMAR, C.J. &
SMT. RANJANA DESAI, J.

DATED : JULY 02, 2007.

P.C.:-

1. Mr. Uttangale, the learned counsel for Respondent No.2 states that the Respondents in the present Petition have not challenged the correctness or legality of the order dated 1/6/2007 before any Bench of this Court.

2. We have heard Mr. Shah, the learned counsel appearing for the Petitioner. An application was filed by the Petitioner for transfer

of his Appeal to another Bench of the DRT. The Authorities have noticed that the apprehension expressed by the Appellant is unreasonable and was not borne from the record. The Appellate Tribunal has exercised its discretion and has protected the Appellant for a period of four weeks even after passing the order as contemplated under section 17 of the Securitization Act.

3. We find no jurisdictional or other error in the order impugned in the present Petition. We do not consider it a fit case for this court to exercise its extra ordinary jurisdiction under Article 226 of the Constitution of India. The Writ Petition is dismissed. However, the relief granted to the Petitioner under the impugned order would be maintained.

[CHIEF JUSTICE]

[SMT. RANJANA DESAI, J.]